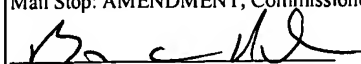




CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on February 22, 2005.


Attorney for Applicant

PATENT
File No. 1042.2.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Donald T. Comer)
)
Serial No.:	10/826,239) Art Unit
) #2819
Filed:	April 16, 2004)
)
For:	RESPONSE-BASED ANALOG-TO-DIGITAL)
	CONVERSION APPARATUS AND METHOD)
)
Examiner:	Joseph Lauture)

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Responsive to the communication from the Examiner mailed November 1, 2004,
applicant is submitting a TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT in compliance with 37 CFR 1.321(c) as suggested by
the Examiner during an interview on January 3, 2005. The corresponding document is included

herewith as well as the Terminal Disclaimer fee under 37 CFR 1.20(d) and the corresponding fee transmittal sheet.

In the event that the Examiner finds any remaining impediments to the prompt allowance of the above-referenced application which could be clarified in a telephone conference, the Examiner is respectfully urged to initiate the same with the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "B. C. Kunzler", is written over a horizontal line.

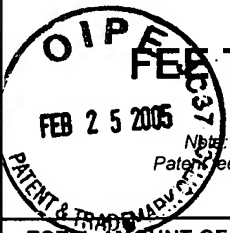
Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: February 21, 2005


Kunzler and Associates
8 East Broadway, Suite 600
Salt Lake City, UT 84111
Telephone: (801) 994-4646
FAX: (801) 531-1929

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 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="font-size: small; margin: 0;">Note: Effective December 8, 2004. Patent fees are subject to annual revision.</p>		Complete If Known		
		Application Number	10/826,239	
		Filing Date	April 16, 2004	
		First Named Inventor	Donald T. Comer	
		Group Art Unit	2819	
		Examiner Name	Joseph J. Lauture	
TOTAL AMOUNT OF PAYMENT		\$ 125	Attorney Docket Number	1042.2.3

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																								
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: _____ Deposit Account Name: _____ <div style="display: flex; justify-content: space-between;"> <div> Charge Any Additional <input type="checkbox"/> Fee Required Under 37 CFR 1.16 and 1.17 </div> <div> Charge the Issue Fee <input type="checkbox"/> In 37 CFR at the Mailing of the Notice of Allowance </div> </div>	3. 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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Brian C. Kunzler		Reg. Number	38,527
Signature				Date	Feb 3, 2005
				Deposit Account User ID	

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